

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

MARVIN JOHNSON,

Plaintiff,

v.

MILWAUKEE POLICE
DEPARTMENT, JEFF LEPIANKA,
and K9 BRAVO,

Defendants.

Case No. 18-CV-1733-JPS

ORDER

On October 31, 2018, Plaintiff filed a prisoner complaint alleging that his civil rights were violated during the course of an arrest. (Docket #1). He also filed a motion to proceed in forma pauperis. (Docket #2). However, he did not include within his motion a copy of his prison trust account statement for the six-month period preceding the filing of the complaint, as required by 28 U.S.C. § 1915(a)(2). In light of Plaintiff's obvious efforts to secure his trust account statement while transferring between correctional facilities, the Court granted Plaintiff two extensions. (Docket #7 and #9). However, in its most recent order, the Court warned Plaintiff that no further extensions would be granted, and if Plaintiff failed to submit a trust account statement by January 31, 2019, the Court would dismiss his case without prejudice and without further notice. (Docket #9). The Court has received no further communications from Plaintiff, therefore the action will be dismissed without prejudice for Plaintiff's failure to prosecute. Civ. L.R. 41(c); *Fischer v. Cingular Wireless, LLC*, 446 F.3d 663, 665 (7th Cir. 2006).

Accordingly,

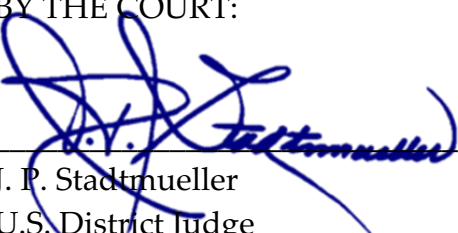
IT IS ORDERED that Plaintiff's motion for leave to proceed without prepayment of the filing fee (Docket #2) be and the same is hereby **DENIED**; and

IT IS FURTHER ORDERED that this action be and the same is hereby **DISMISSED without prejudice** for Plaintiff's failure to diligently prosecute.

The Clerk of the Court is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin, this 13th day of February, 2019.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge